

Teton County Historic Preservation Board
JANUARY REGULAR BOARD MEETING AGENDA
January 10, 2023, 7:00 pm

Teton County Administration Building, Commissioners Meeting Chambers
200 S Willow Street, Jackson, WY 83001

Join Zoom Meeting

<https://us02web.zoom.us/j/85389416187?pwd=eHdnbnF2cFFwMlIIVc2FGTFVWcVN4dz09>

PLEASE NOTE: DOCUMENTS FOR THIS MEETING CAN BE ACCESSED VIA THIS LINK

1. Call to Order
2. Roll Call
3. Quorum Pronouncement by the Chair
4. Adoption of Agenda
5. Approval of Minutes
6. Public Comment
7. Action Items: No business items have been submitted for this meeting
8. Communications
 - Email: Amanda Moyer, Old Wilson Schoolhouse
 - Email: Esther Judge-Lennox, Shacks on Racks
9. Updates and discussion
 - Social Media RFP responses
 - Historic Resources Mapping Project Update (Unconfirmed)
10. Adjournment

Please note that at any point during the meeting, the Chair may change the order of items listed on this agenda. To ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



Teton Preservation Board <tetonpreservation@gmail.com>

Old Wilson Schoolhouse Community Center

1 message

Amanda Moyer <amanda@oldwilsonschool.com>

Wed, Dec 21, 2022 at 1:23 PM

To: "tetonpreservation@gmail.com" <tetonpreservation@gmail.com>

Hi TCHPB,

I took over for Marylee White as the Executive Director of the Old Wilson Schoolhouse Community Center in July 2021. The marmoleum floors have become severely deteriorated throughout the facility, and I am seeking additional funding opportunities to help replace the floors with new marmoleum this coming summer. We already have a grant award from the Community Foundation to assist with this project, and I'm going to apply for a Wyoming Cultural Trust Fund grant in the spring under "historic preservation - rehabilitation". After reading their grant guidelines and looking through our files, I'm realizing that I'm confused about the historical status of the facility.

Does someone on your staff have time to chat with me about the historic status of the facility, as well as any determinations or distinctions that are attached to the facility?

Thanks and I look forward to speaking with you.

Amanda Moyer

Executive Director - Old Wilson Schoolhouse Community Center

610-207-3891 (*cell*)

307-699-6016 (*schoolhouse - no texts please*)



Re: Email correspondence

1 message

Esther Judge-Lennox <esther@shacksonracks.com> Wed, Jan 4, 2023 at 7:28 PM
To: "Abigail S. Moore" <amoore@tetoncountywy.gov>, Teton Preservation Board <tetonpreservation@gmail.com>
Cc: Ryan Dorgan <ryan@shacksonracks.com>, Paul Anthony <panthony@jacksonwy.gov>, Chris Neubecker <cneubecker@tetoncountywy.gov>, Keith Gingery <kgingery@tetoncountywy.gov>, Lea Colasuonno <lcolasuonno@jacksonwy.gov>, Town Council <electedofficials@jacksonwy.gov>, Board Of County Commissioners <commissioners@tetoncountywy.gov>, Rebecca <ebwilcox05@gmail.com>, Trissta Lyman-Morgan <ramshacklejh@gmail.com>, Michael Stern <michael@masplaces.com>, Mackenzie King <mking@dubbe-moulder.com>, Smith Sherry <sherrys@mail.smu.edu>, Kurt Dubbe <kurt@dubbe-moulder.com>, Erin Gibbs <gibbs.erin.e@gmail.com>, david.vandenberg@compass.com, rosecllc@gmail.com, "Cassidy Stickney (cstickney@clbarchitects.com)" <cstickney@clbarchitects.com>, Mark Newcomb <mnewcomb@tetoncountywy.gov>, andy@andrewsalteradr.com, brucemoatsattorney@gmail.com, Sophia Boyd-Fliegel <county@jhnewsandguide.com>

Hi All,

I wanted to start by saying how refreshing the December meeting was. It seems since Shacks raised concerns about the board's protocol things have been addressed internally. I know there's a lot of learning and communication that goes into this but Shacks feels a little left in the dark. Ryan asked some really valid questions that haven't been answered. It's been over two months now and I think a response from the board is appropriate.

I would love to schedule something with the Town of Jackson and Teton County Historic Preservation Board as Susan offered. I think it would be helpful for Shacks to give a presentation on our business and beliefs so we can have a clear path forward.

Happy New Year,
Esther

On Tue, Nov 22, 2022 at 12:30 PM Esther Judge-Lennox <esther@shacksonracks.com> wrote:

Hi Abigail,

Thank you for the response. That's great news. I look forward to any public discussion this brings as well as understanding the questions we've asked.

Thank you,
Esther

On Nov 17, 2022, at 10:56 AM, Abigail S. Moore <amoore@tetoncountywy.gov> wrote:

Ms. Judge-Lennox:

Thank you for raising these issues. The Historic Preservation Board is reviewing its procedures in response to your inquiries. The Historic Preservation Board will be discussing in more detail with the Jackson Town Staff as how to best coordinate between the Historic Preservation Board and the Town of Jackson. The Historic Preservation Board is also in receipt of your public records request and is working to accumulate the documents that you have requested.

Sincerely,

Abigail S. Moore
Deputy County Attorney - Civil Division

Office of the Teton County and Prosecuting Attorney
[180 S. King Street](#)
P.O. Box 4068
Jackson, Wyoming 83001
Office: 307-733-4012
Direct: 307-732-8607
Fax: 307-733-2867
Email: amoore@tetoncountywy.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

From: Esther Judge-Lennox <esther@shacksonracks.com>
Date: Tuesday, November 15, 2022 at 3:47 PM
To: tetonpreservation@gmail.com <tetonpreservation@gmail.com>
Cc: Ryan Dorgan <ryan@shacksonracks.com>, Paul Anthony <panthony@jacksonwy.gov>, Chris Neubecker <cneubecker@tetoncountywy.gov>, Abigail S. Moore <amoore@tetoncountywy.gov>, Keith Gingery <kgingery@tetoncountywy.gov>, Lea Colasuonno <lcolasuonno@jacksonwy.gov>, Town Council <electedofficials@jacksonwy.gov>, Board Of County Commissioners <commissioners@tetoncountywy.gov>, Rebecca <ebwilcox05@gmail.com>, Trissta Lyman-Morgan <ramshacklejh@gmail.com>, Michael Stern <michael@masplaces.com>, Mackenzie King <mking@dubbe-moulder.com>, Smith Sherry <sherrys@mail.smu.edu>, Kurt Dubbe <kurt@dubbe-moulder.com>, asalter (<asalter@tetonlaw.com>) <asalter@tetonlaw.com>, Erin Gibbs <gibbs.erin.e@gmail.com>, <david.vandenberg@compass.com> <david.vandenberg@compass.com>, <rosecllc@gmail.com> <rosecllc@gmail.com>, Schubert, John P -FS <john.schubert@usda.gov>, Cassidy Stickney (<cstickney@clbarchitects.com>) <cstickney@clbarchitects.com>, Mark Newcomb <mnewcomb@tetoncountywy.gov>
Subject: Re: Email correspondence

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Hi all,

I'm wondering when my email will be acknowledged or when you anticipate answering Ryan's questions.

Thanks,

Esther

On Nov 1, 2022, at 11:50 AM, Esther Judge-Lennox <esther@shacksonracks.com> wrote:

Hi Susan,

Shacks is well aware of the ordinance you've attached, which is why we clearly have questions. Until those are answered I don't appreciate you telling me Ryan is misinformed. Shacks would love to meet with y'all especially because your verbiage of Shacks "acting as a vendor to sell a home" is not at all what Shacks does. I'd prefer to discuss that after these questions are legally interpreted so we can create a clear path of understanding of TCHPB's role as an advisory board and who Shacks is as a preservationist.

To be sure all board members are made aware of our concerns regarding transparency through the public process I've copied all personal emails except for Kiley.

Thanks for your time,

Esther

Please refer to Ryan's original email to answer our questions.

TCHP board,

Following up after having received no response to our previous request, which was made in order to satisfy the initial requirement needed to allow for the relocation of a historically significant home within Teton County as an alternative to demolition.

We were surprised to learn this week that demolition permits had been issued for the homes at 415 Teton Ave. and 1060 South Park Loop Rd., less than two weeks after the board had recommended a stay in the issuance of demolition permits for both properties. The decision to recognize these homes as historically significant and recommend a demolition stay was clearly made during the Oct. 11 public meeting and the reversal of this decision, to the best of our knowledge, was made in secret. It is our understanding that the board informed town planning staff Oct. 12 of the recommendations made during the previous day's meeting and then made contact again later that week to rescind the recommendations before planning staff was able to provide reports of the recommended demolition stays for review at the next town council meeting.

The Town of Jackson's Ordinance No. 888 demolition standards read: 15.38.020.D.2: *The TCHPB will either determine that:... (B) That the building or structure is historically or architecturally significant and recommend a ninety (90) day stay in the issuance of a demolition permit for public comment and in order for the applicant, the TCHPB and other interested parties to explore alternatives to demolition. The TCHPB shall cite the historic preservation principles upon which it is relying to make its comments or recommendations regarding the impact of such demolition on historic preservation.*

15.38.020.D.3 continues: *All demolition permit applicants pertaining to historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial twenty-one (21) day review period on applicant's request.*

We would appreciate clarification on the following:

- At what point does this ordinance carry enforceable weight? At the point of the board's approved motion to recommend? When the recommendation is delivered to the planning department? When the planning department submits its staff report regarding the board's recommendation to the town council? When the town council reviews a recommendation? At another time?
- The ordinance states that the board will recommend a ninety (90) day stay in the issuance of a demolition permit. Where within the ordinance is it stated that the recommendation can be less than 90 days, as was recommended during the Oct. 11 meeting?
- The ordinance's language implies that equal opportunity will be allowed to the applicant, the TCHPB and other interested parties to explore alternatives to demolition. As representatives of an interested party with a viable alternative to demolition, when will that opportunity be allowed?
- Board meetings are recorded. Where are these recordings available for review by the public?
- At what point will the public be given the opportunity to comment on the board's reversal of their recommendation to stay demolition on the two properties?
- A representative for the owner of 1060 South Park Loop Rd. was present during the public meeting and had the opportunity to contest the board's recommendation to stay demolition. What led to the reversal of the recommendation after the public meeting?
- How does the board define a sub-committee?
- Can agreements or decisions made privately during meetings or correspondence between permit applicants and members of the board or members of a sub-committee be used to reverse decisions made by the board in a public meeting?

Sincerely,

Ryan Dorgan

On Oct 28, 2022, at 5:37 PM, Teton Preservation Board <tetonpreservation@gmail.com> wrote:

Esther Judge, Owner

Shacks on Racks 22, LLC

Dear Esther,

The Teton County Historic Preservation Board is in receipt of correspondence from an employee of your company. It is our understanding that your company was attempting to act as a vendor for the sale of a home located within the City of Jackson, Wyoming. Your employee as an agent of your company has made inquiries regarding the decision process of the board.

The Teton County Historic Preservation Board acts in an advisory capacity to the City of Jackson, Wyoming and only has the power to make recommendations.

Below are the City of Jackson's ordinances in relation to our board's role in demolition

permits. We welcome a discussion if your company would like to sit down with representatives of the City of Jackson and the Teton County Historic Preservation Board to discuss our procedures and processes. It appears that your employee may have been misinformed on how this particular permit was processed and we would welcome the opportunity to sit down with representatives of your company to explain the process in more detail.

8.10.12. Teton County Historic Preservation Board (2/1/21, Ord. 1278)

8.10.11

1. Establishment and Purpose

The Teton County Historic Preservation Board (TCHPB) is a Certified Local Government established by Teton County. As part of these Town LDRs, the TCHPB has been approved to provide its expertise in historic preservation to assist the Town in the implementation of the Town's historic preservation program. The TCHPB consists of members who are qualified by experience and training to advise and provide technical assistance to the Planning Director, Planning and Zoning Commission, Board of Adjustment, and Town Council regarding design review pursuant to Div. 5.8.

2. Powers and Duties

The TCHPB shall have the powers and duties established under the provisions of the LDRs, including:

1. To recommend changes to the Historic Preservation Design Guidelines and other Town Design Guidelines for adoption by the Town Council;
2. To hear, consider, and recommend a decision to the Planning Director, the Planning and Zoning Commission, the Board of Adjustment, and the Town Council on the following applications:
 1. Certificate of Appropriateness for an alteration to Registered Historic Resource that requires review of the Historic Preservation Design Guidelines;
 2. Certificate of Appropriateness for a repositioning or relocation of a Registered Historic To review demolition permits per Chapter 15.38 Demolition Standards in the Jackson Municipal Code and offer recommendations on the advisability of a stay on the demolition;
3. To make special knowledge and expertise available upon request from the Planning Director or Town Council for matters related to the implementation of the Town's historic preservation program and authorization of the Town Council to other Town Departments; and
4. To make studies and/or surveys of the historic resources in the Town, make public such information, and to maintain a list of Structures of Merit.

C. Membership

The qualifications, appointment, terms of office, and other requirements for membership to the TCHPB are governed by Teton County and by the adopted bylaws of the TCHPB.

D. Staff

The Planning Department shall be available to provide professional assistance to the TCHPB, at the direction of the Planning Director.

E. Quorum and Voting

The quorum and voting rules and requirements for the TCHPB are governed by Teton County and by the adopted bylaws of the TCHPB. Such rules shall be followed for any public meetings required under these LDRs.

F. Meetings

1. General. Meetings of the TCHPB shall be held at least once monthly or as otherwise necessary to fulfill its duties as required by these LDRs. Meetings shall be set at a consistent time and date.
2. Special Meetings. A special meeting may be called by the Chairperson by giving notice to each member and to the official advertising newspaper of the Town of Jackson. The notice shall specify the time, place and business to be transacted, and no other business shall be conducted.
3. Location. The location of all TCHPB meetings shall be determined by the TCHPB but the location shall be located in the Town of Jackson and published to provide adequate notice to all interested parties and the public. The location shall be accessible to the public.
4. Meetings Open to the Public. All meetings of the Committee shall be open to the public in a place accessible to the public. Public comment is not required.
5. Agenda. An agenda for any meeting required by these LDRS shall be published at least seven days prior to the meeting.

15.38.020 Historic Buildings

A. General. The Town Council recognizes that many areas, improvements, buildings or structures have features with historic character or special historic or aesthetic interest or value representing architectural products of distinct periods in the history of Jackson. The Town Council also recognizes that the protection, enhancement and perpetuation of areas, improvements, buildings and structures with features having historic character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the people of the Town.

For the purposes of this section, historic buildings or structures are those buildings, improvements or structures, which are on the Jackson Historic Register or are in excess of fifty (50) years old, or which are otherwise historically or architecturally significant.

Every applicant for a demolition permit shall state to the best of his or her knowledge whether a building or structure for which demolition is sought is either in excess of, or less than, fifty (50) years old as of the date of the application.

2. Authority to Enact. Authority for enacting this chapter to protect historic integrity is provided in Wyo. Stat. Section §15-1-601(d)(iv).
3. The Teton County Historic Preservation Board. The Teton County Historic Preservation Board (“TCHPB”) shall be an advisory board to owners seeking to demolish historic buildings within the Town.

1. The TCHPB shall be an informational and advisory board only and shall advise owners or residents of buildings or structures on the historic nature, aspects and other historic preservation issues concerning the building or structure sought for demolition.

2. The TCHPB will maintain a non-exclusive list of structures which are either in excess of fifty (50) years old or are otherwise historically or architecturally significant. This list, the Structures of Merit, will be made publicly available and will be updated from time to time. The Structures of Merit List updated from time to time serves as a guideline to building owners and Town of Jackson officials.

3. The TCHPB may present to the Town Council its findings and recommendations about any development proposal or regulation which impacts any building or structure in excess of fifty (50) years old or which are otherwise historically or architecturally significant.

4. Demolition Permit Review

1. Upon receipt of a demolition permit application pursuant to Section 105.1 of the International Building Code, the planning and building department shall refer the demolition application to the TCHPB.

2. The TCHPB shall review demolition proposals which affect the exterior of any principal or accessory building or structure which is on the Jackson Historic Register or Structures of Merit list for their impacts on historic resources. The TCHPB will make a recommendation to the planning and building department and/or Town Council within thirty (30) calendar days from initial submission of the demolition application to the TCHPB. The TCHPB will either determine that:

1. The building or structure is not historically or architecturally significant, or

2. That the building or structure is historically or architecturally significant and recommend a ninety (90) day stay in the issuance of a demolition permit for public comment and in order for the applicant, the TCHPB and other interested parties to explore alternatives to demolition. The TCHPB shall cite the historic preservation principles upon which it is relying to make its comments or recommendations regarding the impact of such demolition on historic preservation .

3. All demolition permit applicants pertaining to historic buildings or structures may meet with the TCHPB, or a sub-committee thereof, to discuss the impacts of demolition on historic resources. A meeting will be scheduled during the initial thirty (30) day review period on applicant's request.

4. In the event the TCHPB does not make a recommendation to the planning and building department and/or Town Council within

thirty (30) calendar days from initial submission of the demolition application, the Town will assume that the TCHPB does not have a formal recommendation, and the application shall proceed through the regular permitting process.

(Ord. 1279 § 1, 2021; Ord. 888 § 1, 2008.)

Best,

Susan

Susan Eriksen-Meier

Teton County Historic Preservation Board

P.O. Box 4083, Jackson WY 83001

307-690-7781

Correspondence, including e-mail, to and from employees of Teton County, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

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www.shacksonracks.com

307-699-7200